

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments to the claims and the remarks made herein.

Claims 4-14 are pending and stand rejected. Claims 4, 5, 8, 10 and 12 have been canceled. Claims 6, 9, 11 and 14 have been amended.

1. Claims 6-9, 11, 13 and 14 stand rejected under 35 USC §112, first paragraph for claiming subject matter allegedly not disclosed in the written description.

Applicant respectfully disagrees with the rejection of the claims. However, applicant has amended the claims to remove the term "of a ATM payload" as suggested by the Examiner.

With regard to rejection of claim 8, this claim has been cancelled and the subject matter therein including in claim 6, amended to recite the function therein in a better form.

However, applicant believes that the term "optical" is an appropriate term as the invention is directed to an optical system and elects not to amend the claims. The specification, as a whole, clearly teaches the conversion of electrical signals to optical signals and the transmission or reception of same.

For the amendments to the claims and the remarks above, applicant submits that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

2. Claims 4 and 5 stand rejected under 35 USC §103(a) as being unpatentable over Lang (USP no. 5,835,602) in view of admitted prior art (APA) and Amaral (USP no.6,088,360) with reference to Weik (Fiber Optics Standard Dictionary) (the combination referred to as RAAS).

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims. However, applicant has elected to cancel claims 4, 5, 10 and 12.

For the cancellation of the claims and the remarks above, applicant submits that the reason for the rejection is no longer relevant and respectfully requests that the rejection be withdrawn.

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3. Claims 6 and 7 stand rejected under 35 USC §103(a) as being unpatentable over Lang (USP no. 5,835,602) in view of admitted prior art (APA) and Jahromi (USP no. 5,416,768) and Frenzel (Programmable Frame Chip Improves OC-48 Efficiency) with reference to Weik (Fiber Optics Standard Dictionary) and Newton (Newton's Telecom Dictionary) (the combination referred to as RAA6).

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims. However, claim 6 has been amended to recite the subject matter of claim 8 and further recite that storage areas are represented by an address dependent upon the MPTS data to be stored. No new matter has been added. Support for the amendment may be found at least on page 10, line 20-page 11, line 21.

Perry discloses two buffers; the first including information regarding logical links and the second including an entry for each of a plurality of ports. The first memory includes a pointer that points to a section in the second data structure. Each section identifies a port as an intended source of signals and there is one section for each port.

However, the buffers of Perry are fixed and not defined by an address within the memory dependent upon the MPTS data and the further outputting of the MPTS data by accessing the address of the memory by a corresponding subscriber.

A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

The combination of Lang, APA and Perry fails to render obvious the invention recited in claim 6 because the combination fails to include a material element recited in the claim.

For at least this reason, applicant submits that the rejection of claim 6 has been overcome and respectfully requests that the rejection be withdrawn.

With regard to claim 7 this claim depends from claim 6 and, hence, is allowable

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by virtue of its dependency upon an allowable base claim.

For at least this reason, applicant respectfully requests that the rejection be withdrawn.

4. Claims 8, 9 and 14 stand rejected under 35 USC § 103(a) as being unpatentable over RAA5 and further in view of Petty (US 4,965,796);

With regard to claim 8, this claim has been cancelled and, hence, the rejection of this claim is no longer relevant.

With regard to claims 9 and 14, these claims have been amended to depend from claim 6 and hence, are allowable by virtue of their dependency upon an allowable base claim.

For at least this reason, applicant respectfully requests that the rejection be withdrawn.

5. Claims 10 and 12 stand rejected under 35 USC § 103(a) as being unpatentable over RAA5 and further in view of Schohet ("HDLC framing of Ethernet packet"); Claims 11 and 13 stand rejected under 35 USC § 103(a) as being unpatentable RAA6 and further in view of Schohet ("HDLC framing of Ethernet packet").

These claims depend from claim 6 and hence, are allowable by virtue of their dependency upon an allowable base claim.

For at least this reason, applicant respectfully requests that the rejections be withdrawn.

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For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,



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